

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

LUFENG LIU,

Defendant and Appellant.

H047234

(Santa Clara County

Super. Ct. No. C1885364)

Defendant Lufeng Liu pleaded no contest to one count of felony grand theft (Pen. Code, § 487, subd. (a)).¹ At sentencing, the trial court suspended imposition of sentence and placed Liu on three years' formal probation.

We appointed counsel to represent Liu in this court. Appointed counsel filed an opening brief which states the case and the facts but raises no specific issues. We notified Liu of his right to submit written argument in his own behalf within 30 days. That period has elapsed, and we have received no written argument from Liu.

I. FACTUAL AND PROCEDURAL BACKGROUND

On March 1, 2018, Liu was charged by complaint with one count of first-degree burglary (§§ 459, 460, subd. (a), count 1).² At a change of plea hearing on May 24, 2019, the trial court granted the prosecution's motion to amend the complaint to add a charge of felony grand theft (§ 487, subd. (a)) as count 2. Liu pleaded no contest to count 2.

¹ Unspecified statutory references are to the Penal Code.

² The record includes the date and location of the underlying offense, but no other facts.

At sentencing, the trial court dismissed count 1, suspended imposition of sentence and placed Liu on three years' formal probation. Liu was further ordered to serve 76 days in county jail, which was deemed served due to his total credits of 89 days (45 days of custody credits plus 44 days of conduct credits under section 4019).

The trial court ordered Liu to pay \$1,500 in restitution to the victim. In addition, Liu was ordered to pay a restitution fine of \$330 (§ 1202.4), a probation revocation restitution fine of \$330, suspended pending successful completion of probation (§ 1202.44), a \$10 crime prevention fund fine plus \$31 penalty assessment (§ 1202.5), a \$40 court security fee (§ 1465.8), a \$30 criminal conviction assessment (Gov. Code, § 70373), a \$129.75 criminal justice administration fee payable to the City of San Jose (Gov. Code, §§ 29550, 29550.1, 29550.2), and \$25/month in probation supervision fees (§ 1203.1b). At defense counsel's request, the trial court stayed all fines and fees pending proof of Liu's ability to pay.

Liu timely appealed.

II. DISPOSITION

Pursuant to *People v. Wende* (1979) 25 Cal.3d 436 and *People v. Kelly* (2006) 40 Cal.4th 106, we have reviewed the whole record and have concluded there is no arguable issue on appeal.

The judgment is affirmed.

Premo, Acting P.J.

WE CONCUR:

Elia, J.

Danner, J.

People v. Liu
H047234